

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GMA ACCESSORIES, INC.,

Plaintiff,

REPLY TO COUNTERCLAIM

- against -

Civil Action No.: 07 CV 10936 (LSS) (AJP)

LAUREN MERKIN PRODUCTIONS, LLC.
Defendant.

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GMA Accessories, Inc., (hereinafter "GMA"), by its attorneys, replies to the counter-claim:

1. Denies knowledge or information sufficient to form a belief as to each and every allegation contained in paragraphs marked "1" of the Counterclaim.
- 2-5. Admits each and every allegation contained in paragraphs marked "2 through 5" of the Counterclaim.
6. Denied.
7. Denies knowledge or information sufficient to form a belief as to each and every allegation contained in paragraphs marked "7" of the Counterclaim except denies the last sentence of paragraph "7" of the Counterclaim.
8. Denies knowledge or information sufficient to form a belief as to each and every allegation contained in paragraphs marked "8" of the Counterclaim.
- 9-13. Denied to the extent that Lauren Merkin clutches are advertised, displayed and sold in connection with the Charlotte mark.
14. Denied.
- 15-17. Denied
18. Denies knowledge or information sufficient to form a belief as to each and every

allegation contained in paragraph marked "18" of the Counterclaim.

19. Leaves to the Court's determination of this legal issue.

20. Answering the allegations contained in paragraph marked "20", GMA repeats and realleges each and every admission, denial, and allegation contained in paragraphs of the counterclaim numbered 1 through 19 hereof as if fully set forth at length herein.

21-22. Denied.

FIRST AFFIRMATIVE DEFENSE

22. The Counterclaim fails to state a claim against GMA Accessories upon which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

23. LAUREN MERKIN and its customers have infringed upon the mark CHARLOTTE in violation of the trademark laws and LAUREN MERKIN is barred from seeking the relief requested, in whole or in part, by virtue of unclean hands.

JURY DEMAND

GMA respectfully requests a trial by jury as to all issues.

Dated: New York, New York
January 14, 2008

Respectfully Submitted,

THE BOSTANY LAW FIRM

By: 

CRYSTAL S.A. SCOTT (CS 5615)

Attorney for Plaintiff-Counterclaim Defendant,

GMA Accessories, Inc.

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